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SLR:dm 6235-59216 272742 04/23/04

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## PLEASE DELIVER DIRECTLY TO EXAMINER Q. JANICE LI

Fax No.: 703-872-9306

Total No. Pages: 8 including this cover sheet

**Message:** Transmitted herewith for filing in the above-identified application is an Amendment After Final Action. If you do not receive all pages or if you have problems receiving transmittal, please call Sheree Lynn Rybak, Ph.D. at (503) 226-7391. The fee (large entity) has been calculated as shown below.

In re application of: Morishita et al.

Application No. 09/857,719

Filed: December 3, 2001

Confirmation No. 9622

For: GENE THERAPY FOR  
CARDIOMYOPATHY

Examiner: Q. Janice Li

Art Unit: 1632

Attorney Reference No. 6235-59216

## CERTIFICATE OF FACSIMILE

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being facsimile transmitted to fax number 703-872-9306 on the date shown below.

Attorney  
for Applicant(s)

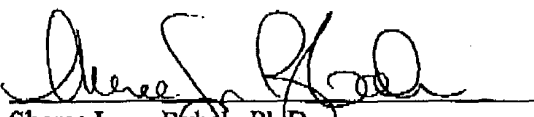
Date Transmitted April 26, 2004

## FEE CALCULATION FOR CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Extra	Rate	Fee
Total Claims	5	- 28*	= 0	\$18.00	\$ 0.00
Indep.	5	- 5**	= 0	\$86.00	\$ 0.00
Two-month Extension of Time (1 month = \$110.00 2 months = \$420.00 3 months = 950.00)					\$420.00
TOTAL FEE FOR THIS AMENDMENT					\$420.00

\*greater of twenty or number for which fee has been paid. \*\*greater of three or number for which fee has been paid.

- ☒ Applicants petition for an extension of time for two month(s), as indicated above. If an additional extension of time is required please consider this a petition therefor.
- ☒ Please charge this fee and any additional fees that may be required in connection with filing of this Amendment After Final Action to Deposit Account 02-4550.

  
Sheree Lynn Rybak, Ph.D.  
Registration No. 47,913

April 26, 2004  
Date

cc: Docketing  
Accounting

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SLR:slr:dm 4/23/04 266079  
PATENT

Attorney Reference Number 6235-59216  
Application Number 09/857,719

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Response Under 37 C.F.R. § 1.116 Expedited Procedure**

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Attorney  
for Applicant(s)

Date Mailed

  
April 26, 2004

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**AMENDMENT AFTER FINAL ACTION**

This responds to the Office action dated December 18, 2003. A three-month period for  
response was set, and a two-month extension fee is enclosed, making a reply due by May 18, 2004  
Please amend the referenced application as follows:

**Amendments to the Specification** begin on page 2.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 3.

**Remarks** begin on page 5.